



Miami-Dade Board of County Commissioners
Office of the Commission Auditor

Housing, Social Services & Economic Development
(HSSD) Committee Meeting

February 10, 2020
2:00 P.M.
Commission Chambers

Yinka Majekodunmi, CPA
Commission Auditor
Office of the Commission Auditor (OCA)
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Miami, FL 33128
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**HSSSED Committee Meeting:
February 10, 2020
Research Notes**

Item No. 2D

File No. 200127

Researcher: VW Reviewer: PGE

RESOLUTION APPROVING TERMS OF AND AUTHORIZING EXECUTION BY THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE OF AN AMENDMENT TO THE GROUND LEASE BETWEEN MIAMI-DADE COUNTY AND FLORIDA SICKLE, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR A ONE YEAR EXTENSION OF THE DEADLINE TO COMPLETE CONSTRUCTION FOR THE PURPOSE OF BUILDING A COMPREHENSIVE SICKLE CELL CENTER, FOR PROPERTY LOCATED AT 1394 NW 62ND STREET, MIAMI, FLORIDA; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN AND TO PERFORM ALL ACTS NECESSARY TO EFFECTUATE SAME

ISSUE/REQUESTED ACTION

Whether the Board should approve an amendment to the ground lease between Miami-Dade County and Florida Sickle, Inc., a Florida not-for-profit corporation, for a one-year extension of the deadline to complete construction of a comprehensive sickle cell center at 1394 NW 62nd Street.

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Audrey M. Edmonson, District 3

Department/Requester: None

There is no procedural history for this item at this time.

ANALYSIS

The purpose of this item is to gain Board authorization for an amendment to the ground lease between the County and Florida Sickle, Inc. whereby Florida Sickle, Inc. is granted a one-year extension to complete construction of a sickle cell center. The controlling provision of the amendment to the ground lease provides that "Tenant shall complete construction of the Project, as evidenced by a certificate of occupancy or its equivalent no later than four years from the commencement date." The project commencement date was August 30, 2018.

On July 24, 2018, pursuant to Resolution No. R-803-18, the Board approved a lease agreement between Miami-Dade County (the landlord) and Florida Sickle, Inc., (the tenant), for a 30-year term plus two, 10-year options to renew, for the purpose of constructing a sickle cell clinical research and treatment facility located at 1394 NW 62nd Street in Commission District 3.

The leased space is approximately 12,000 square feet of vacant County-owned land. Under the lease agreement, the annual rent to be paid by Florida Sickle, Inc. is \$2,033.68 for the initial year; such rent will be adjusted annually, increasing by three percent for the remainder of the term. Moreover, the lease agreement provides the option to purchase the property within five years of the effective date of the lease for \$96,000.

Per the original lease agreement, Florida Sickle, Inc. was required to complete construction of the comprehensive sickle cell center within three years of the commencement date of August 30, 2018. The tenant is now requesting a one-year extension of this construction deadline, from August 30, 2021 to August 30, 2022 due to unanticipated delays in obtaining grant funds. Note that there is a scrivener's error in the resolution – Section 2: "Amendment to the Lease providing a *one month* extension..." should read "Amendment to the Lease providing a *one-year* extension." Based on correspondence with the Chairwoman's Office, the grant money for the project will come from reserve General Obligation Bonds (GOB) that are to be used specifically for developments in the Overtown area.

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As of the present date, construction of the sickle cell disease center has not yet broken ground as the County has to conduct an environmental cleanup of the area before construction can proceed. Under the original lease agreement, failure on behalf of the tenant to complete construction within the three-year period shall result in a termination of the lease agreement upon written notice by the landlord, Miami-Dade County, to the tenant, Florida Sickle, Inc.

Florida Sickle, Inc. is committed to supporting innovative research in sickle cell disease to maximize the quality of life and improve survival for the generation of people affected by this disease according to the organization's website. The Center for Disease Control and Prevention states that the number of people with sickle cell disease in the United States is about one in 5,000, mostly affecting Americans of sub-Saharan African descent. In the United States, about one out of 365 African-American children are diagnosed with sickle cell disease. Given that the new comprehensive sickle cell center will be built in an area (zip code 33147) that is over 58% African-American, the people that are disproportionately affected with sickle cell disease will also be the ones who will be in closest proximity to the new state-of-the-art treatment and research facility.

The table below shows property information for the leased land:

Property (Legal Description)	Address	No. Of Units	Lot Size (Square ft.)	Market Value (2019) Property Appraiser
Vacant governmental property	1394 NW 62 ST Miami, FL 33147	N/A	12,000 Sq. Ft	\$120,000

The picture below shows a graphic depiction of the location of the leased property located at 1394 NW 62nd St. Miami, FL 33147.

PROPERTY INFORMATION

1

Folio: 01-3114-043-0010

Sub-Division:
ORCHARD VILLA EXTN

Property Address
1394 NW 62 ST

Owner
MIAMI DADE COUNTY
GSA R/E MGMT

Mailing Address
111 NW 1 STREET STE 2460
MIAMI, FL 33128-1929

PA Primary Zone
6101 CEN-PEDESTRIAN ORIENTATIO

Primary Land Use
8080 VACANT GOVERNMENTAL : VACANT LAND -
GOVERNMENTAL

2019 Aerial Photography 200ft

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OCA conducted due diligence on February 6, 2020 pertaining to Florida Sickie, Inc.; the results are shown below.

Awarded Firm	Corporate Registration	Tax Collectors Office	Florida DBPR	Westlaw
Florida Sickie, Inc.	Florida Not for Profit Corporation Active Principal Address: 3858 Sheridan Street Suite S Hollywood, FL 33021-3625 Filed: 11/09/2012	Nothing found	Nothing found	No cases on file

ADDITIONAL INFORMATION

According to the organization's website, Florida Sickie, Inc. is a 501c(3) non-profit charitable foundation, formed and operated to support and benefit the Foundation for Sickie Cell Disease Research ("FSCDR"). The FSCDR is committed to supporting innovative research in sickie cell disease to maximize the quality of life and improve survival for the generation of people affected by the disease.

<https://fscdr.org/about-us/>

According to a 2019 Sun Sentinel article, the FSCDR was founded by Dr. Lanetta Bronté-Hall and has been offering focused care and collected data through clinical trials since the center opened in Hollywood, FL in 2012. The new sickie cell center which Florida Sickie, Inc. will construct will be the first comprehensive medical care and clinical research facility catering specifically to sickie cell disease patients in the United States. The initiatives undertaken by the FSCDR are part of a broader national movement refocusing attention on sickie cell disease research and treatment. After decades of modest progress, advances in gene therapy and experimental medications are finally bringing the treatment of sickie disease closer to reality. Researchers are urging Floridians in particular to participate in clinical trials of these new experimental treatment methods as Florida has the highest number of sickie cell births nationwide with the largest number of patients residing in the tri-county area.

<https://www.sun-sentinel.com/health/fl-ne-sickie-cell-20190608-pqdlhlxgrzee3h2efv7fwyjwby-story.html>

APPLICABLE LEGISLATION/POLICY

Section 125.38 of the Florida Statutes (Sale of county property to United States, or state), allows for the sale or lease of County property to a not for profit organization.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0125/Sections/0125.38.html

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Section 125.411 of the Florida Statutes (Conveyance of Land by County), sets forth the formality by which Deeds of Conveyance of lands are executed by County governments in the State of Florida.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.411.html

Section 2-8.6.5 of the Code of Miami Dade County, states that all conveyances to not-for-profit entities for a public purpose or community interest and welfare under section 125.38, Florida Statutes, as may be amended from time to time, shall be by lease and not by deed, and such lease shall include a timeframe for lease termination in the event the purpose of the lease is not effectuated within the period specified in such lease.

http://miamidade.elaws.us/code/coor_ptiii_ch2_arti_sec2-8.6.5

Resolution No. R-256-13, adopted April 2, 2013, establishing County policy with respect to conveyances to not for profit corporations under Florida Statutes Section 125.38, 1) to lease, rather than convey property, unless other compelling circumstances justify the conveyance of same, and 2) to include lease terms requiring a rental payment in lieu of paying taxes in the event that tax exempt status is achieved by the not-for-profit corporation, unless a hardship or other substantial reason exists for foregoing such payment.

<http://intra/gia/matter.asp?matter=130443&file=true&yearFolder=Y2013>

Resolution No. R-333-15 (Market Value or Market Rental in Legislative Items) adopted April 21, 2015, establishes a County policy to require disclosure of market value or market rental in legislative items authorizing the conveyance or lease of County-owned property to promote public disclosure and fiscal responsibility.

<http://intra/gia/matter.asp?matter=150446&file=true&yearFolder=Y2015>

Resolution No. R-791-14, adopted September 3, 2014, directing the Mayor or the Mayor's designee to provide the Miami-Dade County Property Appraiser a copy of all leases and operating agreements involving County-Owned property.

<http://www.miamidade.gov/govaction/matter.asp?matter=141723&file=true&fileAnalysis=false&yearFolder=Y2014>

Resolution No. R-803-18, adopted on July 24, 2018, approves the terms of the lease agreement between Miami-Dade County (landlord) and Florida Sickle, Inc., (tenant), a Florida not-for-profit corporation, for a 30-year term plus two, 10-year options to renew, for the purpose of constructing a comprehensive sickle cell treatment and research facility.

<http://intra/gia/matter.asp?matter=181613&file=true&yearFolder=Y2018>

Resolution No. R-974-09, adopted on July 21, 2009, directs any resolution authorizing the execution of instruments creating a County interest in real property to require that such instruments to be recorded in the public records of Miami-Dade County and attached by the Clerk of the Board to the authorizing resolution.

<http://intra/gia/matter.asp?matter=091900&file=true&yearFolder=Y2009>

Administrative Order No. 8-4 (Sale or Lease of County Real Property) gives the Board the authority to sell or lease or otherwise dispose of County-owned real property.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO8-4.pdf>

**HSSSED Committee Meeting:
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**Item No. 3A
File No. 200073**

Researcher: JFP Reviewer: TD

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO RECEIVE AND EXPEND \$125,000.00 FROM THE CITY OF MIAMI BEACH AND \$50,000.00 FROM BAL HARBOUR VILLAGE, TO EXECUTE AGREEMENTS WITH THE CITY OF MIAMI BEACH AND BAL HARBOUR VILLAGE, AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN; AWARDING FUNDING TO AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SUB-GRANT AGREEMENTS IN THE AMOUNT UP TO \$115,000.00 AND \$50,000.00 WITH DOUGLAS GARDENS COMMUNITY MENTAL HEALTH CENTER, A FLORIDA NON-PROFIT CORPORATION AND A SERVICE PROVIDER, AND CAMILLUS HOUSE, INC., A FLORIDA NON-PROFIT CORPORATION AND A SERVICE PROVIDER, RESPECTIVELY FOR THE PURPOSE OF PROVIDING HOUSING AND SUPPORTIVE SERVICES FOR HOMELESS HOUSEHOLDS, AND TO EXERCISE AMENDMENT, MODIFICATION, RENEWAL AND TERMINATION CLAUSES CONTAINED THEREIN; WAIVING RESOLUTION NO. R-130-06; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO RECEIVE AND EXPEND ADDITIONAL FUNDS AS THEY MAY BECOME AVAILABLE FOR THE PURPOSES SET FORTH HEREIN; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO REIMBURSE UP TO \$10,000.00 TO THE CITY OF MIAMI BEACH FOR HOTEL ACCOMMODATIONS FOR HOMELESS FAMILIES WITH MINOR CHILDREN AND HOSTEL ACCOMMODATIONS FOR HOMELESS INDIVIDUALS EMPLOYED ON MIAMI BEACH

ISSUE/REQUESTED ACTION

Whether the Board should authorize the receipt of \$125,000 from the City of Miami Beach and allocation of \$115,000 of those funds to Douglas Gardens Community Health Center through a sub-grant agreement; the receipt of \$50,000 from the Bal Harbour Village and allocation of those funds to Camillus House through a sub-grant agreement to provide housing and supportive services to homeless individuals and families; and reimbursement of \$10,000 to Miami Beach for hotel and hostel accommodations for the homeless.

PROCEDURAL HISTORY

Prime Sponsor: Housing, Social Services & Economic Development Committee.

Department/Requester: Miami-Dade Homeless Trust

This item has no procedural history.

ANALYSIS

The purpose of this item is to allow execution of agreements with the City of Miami Beach and Bal Harbour Village, both of which are currently exempt from the one percent Food and Beverage Tax, for the provision of funds to the County which will, in turn, be used to support housing programs for homeless individuals and families through sub-grant agreements with the Douglas Gardens Community Health Center (Douglas Gardens) and Camillus House.

City of Miami Beach Funding

Approximately 1,400 people in Miami Beach identified themselves as homeless during the last fiscal year. The City of Miami Beach funding will target housing up to 43 households with the additional goal of reducing unemployment for those currently homeless individuals. Of the \$125,000 allocated to the Homeless Trust in the City of Miami Beach annual budget, \$115,000 will be sub-granted to and utilized by Douglas Gardens to provide up to 24 months of rental assistance and supportive services to up to 10 homeless individuals in Miami Beach referred by the City of Miami

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Beach Office of Housing and Community Services' Homeless Outreach Team. Rental assistance (including deposits) is for up to one year per client served.

While there are currently no homeless shelters in Miami Beach, the City has about 100 beds set aside for its homeless population in shelters in Miami-Dade County, to which the City provides transportation. To bolster the effort of providing emergency shelter for homeless individuals and families, up to \$5,000 will be used to provide temporary housing in hotels and motels for up to 8 homeless families with minor children and/or vulnerable adults. Additionally, up to \$5,000 will be utilized for a pilot program where the City will provide hostel accommodations for up to 25 homeless adults employed in the City of Miami Beach who are working to obtain permanent housing, and whose employment may be adversely impacted by a traditional shelter placement. The City of Miami Beach will pay for these accommodations and will then invoice the Homeless Trust for reimbursement, with the Trust retaining any unused funds.

Bal Harbour Funding

While the City of Miami Beach/Douglas Gardens funding will focus on the homeless population in the Miami Beach area, the \$50,000 allocated to the Homeless Trust in the Bal Harbour Village annual budget will be sub-granted to Camillus House to provide Countywide housing and supportive services to the homeless. Specifically, the funding will be used to provide up to 24 months of services through Rapid Rehousing, a short-term rental assistance and supportive services program for the homeless with low barriers to entry, high placement rates, and low rates of return to shelter. According to the National Alliance to End Homelessness, Rapid Rehousing helps individuals and families exit homelessness faster, and at a fraction of the cost of other homelessness crisis interventions like shelter and transitional housing.

This funding will supplement that which Rapid Rehousing currently receives from the Department of Children and Families and the Town of Surfside and will support homeless individuals who have histories of arrests, with the goal of providing a bridge to permanent housing and, ultimately, reducing recidivism. The program receives referrals from the 11th Judicial Circuit Criminal Mental Health Project, jail diversion behavioral health treatment providers, police, and specialized homeless outreach teams.

The requested waiver of Resolution No. R-130-06, requiring that contracts with non-County entities be signed by the other parties before being placed on the commission agenda, intends to expedite the execution of these agreements and facilitate their implementation.

ADDITIONAL INFORMATION

Douglas Gardens Community Mental Health Center of Miami Beach

The Douglas Gardens Community Mental Health Center provides comprehensive mental health services to people living in the Greater Miami Beach area.

<http://www.dgcmhc.org/>

Camillus House

Provides a broad range of social and health services to over 12,000 men, women and children on annual basis.

<https://www.camillus.org/>

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City of Miami Beach Homeless Outreach Team

The Homeless Outreach Team provides street outreach and operates the only municipal walk-in center in Miami-Dade County serving homeless people. In addition to providing shelter, the Team offers the following supports for people trying to leave the streets: identification document replacement, relocation services, short-term employment and job training, and support groups.

<https://www.miamibeachfl.gov/city-hall/housing-and-community-development/homeless-outreach/>

National Alliance to End Homelessness

The National Alliance to End Homelessness is a nonpartisan organization committed to preventing and ending homelessness in the United States.

<https://endhomelessness.org/>

APPLICABLE LEGISLATION

Resolution No. R-130-06, adopted January 24, 2006, clarifies that proposed agenda items seeking approval of a contract or conveyance and authority to execute same shall not be placed on any committee or commission agenda unless the underlying contract or conveyance is completely negotiated, in final form, and executed by all non-County parties. The proposed resolution seeks waiver of this provision.

<http://intra/gia/matter.asp?matter=060239&file=false&yearFolder=Y2006>